IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

W.P.(C).No. 4748 of 2007(M)

O.S.131/2005 of PRINCIPAL SUB COURT, PALAKKAD

.....

PETITIONER:

A.ABDUL SALEEM,
S/O M.A.KARIM, AGED 41 YEARS
RESIDING AT 'PLEASANT', 21/603
ADITHYA NAGAR, THONDIKULAM
EAST VENNAKKARA, NOORANI
PALAKKAD

BY ADV. SRI.AVM.SALAHUDIN

RESPONDENTS:

A.KAMARUNNESSA
D/O LATE C.A.KAREEM SAHIB
AGED NOT KNOWN
RESIDING AT MEENAM HOUSE
SANTHI NAGAR,
YAKKARA AMSOM,
PALAKKAD

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/02/2007 , THE COURT ON 12/02/2007 DELIVERED THE FOLLOWING:

K.P.BALACHANDRAN, J.

- -

W.P.(C)NO.4748 OF 2007

- -

Dated this the 12th day of February 2007

JUDGMENT

The petitioner is the plaintiff in O.S.131/05 on the file of the Sub Court, Palakkad. It is submitted that the evidence in the case is already closed and case stands posted for final arguments. The prayers in the writ petition are the following:

i) to direct the Sub Court, Palakkad to consider and pass orders in Exts.P3 and P4 applications without any delay.

ii) to direct the Sub Court, Palakkad to afford an opportunity of being heard in Exts.P3 and P4 applications before taking up the suit, O.S.No.131/05 for arguments of the parties to the suit.

iii) to grant such other and further reliefs as are warranted by the circumstance of this case and deemed proper in the interest of justice.

Ext.P3 is an application to have the alleged signatures of the respondent/defendant in Ext.P1 agreement being got compared by a handwriting expert with the admitted signatures of the defendant and Ext.P4 is an application to recall DW1 to

answer a few questions more regarding the signatures in Ext.A1. The court below shall pass appropriate orders on Exts.P3 and P4 before hearing final arguments in O.S.131/05. With this direction this writ petition is disposed of. Petitioner shall produce a copy of this judgment in the court below in time to enable the order being complied with by the Sub Judge.

K.P.BALACHANDRAN, JUDGE

jes